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June 2, 2020

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**Re: *In re Capacitors Antitrust Litigation*
Direct Purchaser Action
Nos. 17-MD-2801, 14-CV-3264 (N.D. Cal.)**

Dear Judge Donato:

Defendants Matsuo Electric Co., Ltd., Nippon Chemi-Con Corp. and United Chemi-Con, Inc. write regarding the direct purchaser class trial in this matter, which has been postponed until either August 16, or November 29, 2021.

Defendants respectfully request that the Court set a trial date beginning on November 29. Defendants' expert, Dr. Laila Haider, is unavailable to attend trial in August 2021 due to prior personal commitments. In addition, as the Court is aware, a number of witnesses reside in Japan, a jurisdiction from which their testimony cannot lawfully be taken remotely. That prohibition leaves only the options of the witnesses traveling to the United States to testify live or traveling to another Asian country to give testimony from there. Both options still present COVID-related difficulties at this time. Access to vaccines is limited in Japan,¹ so Japanese witnesses may still be unvaccinated in August and therefore unable or unwilling to travel. Further, Japan currently imposes a 14-day quarantine on all travelers entering the country,² which would place an additional burden on Japanese witnesses upon their return home. Japan has begun to expedite its vaccine rollout,³ so postponing the trial start date until November renders it more likely that witnesses from Japan will be able to travel safely.

¹ See <https://www.bloomberg.com/news/articles/2021-06-01/japan-s-much-maligned-vaccine-campaign-quietly-gathers-speed> (noting that "the percentage of Japan's total population that has received at least one dose of vaccine - 7.8% -- still lags other developed countries").

² See https://www.mofa.go.jp/ca/fna/page4e_001053.html#section3; <https://www.timeout.com/tokyo/news/japan-updates-its-quarantine-rules-and-extends-entry-restrictions-030421>.

³ See <https://www.bloomberg.com/news/articles/2021-06-01/japan-s-much-maligned-vaccine-campaign-quietly-gathers-speed>.

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Respectfully submitted,

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